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March 23, 2016

**HAND DELIVERED**

Division of Development Services  
City Hall  
375 Merrimack Street, Room 51  
Lowell, MA 01852  
Attn: Joseph Giniewicz, Associate Planner

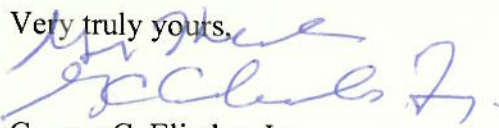
<b>RE: Owner/Applicant:</b>	<b>Connector Park Equity Partners, LLC</b>
<b>Property:</b>	<b>42 Wellman Street, Lowell, MA</b>
<b>Planning Board Hearing:</b>	<b>April 4, 2016</b>
<b>ZBA Hearing:</b>	<b>April 11, 2016</b>

Dear Mr. Giniewicz:

Enclosed herewith please find completed Section 11.3.2a Criteria Narrative for Special Permits pertaining to the above-referenced matter.

Thank you for your attention to the within.

Very truly yours,

  
George C. Eliades, Jr.  
George Theodorou

GT:dpm

Enclosures

*From the City of Lowell Zoning Ordinance  
Section 11.3.2a Criteria for Special Permits in the Table of Uses.*

***A. Application to Master Plan:***

*1. How does this project adhere to, apply, and promote the goals of the City of Lowell Comprehensive Master Plan? Successful projects should present specific connections between the goals of the Master Plan and projects themselves.*

The proposed Facility will adhere to, apply, and promote the goals of the City of Lowell Sustainable Lowell 2025 Plan in a number of ways.

The subject property is located at the foot of Wellman Streets and Lowes Way and separated from but essentially abutting the Lowell Connector. It is currently vacant except for its use as an accessory parking facility for adjacent commercial/office Buildings. The property has been vacant and unused for decades except as an accessory parking facility. The proposed use will provide the City of Lowell with its newest and biggest Market Rate Housing Facility on only one ideally located lot and which will provide its own covered included parking facility for all occupants as part of the site.

Lowell has the potential to continue serving as a desirable place to live and work for years to come. It is therefore incumbent upon the City to make choices that will enhance its unique assets and appeal particularly to retiring baby boomers, young members of the Millennial Generation, and immigrants moving to and within the country, as these three population cohorts have demonstrated a preference for living in urban as opposed to suburban settings,

Lowell's Sustainability Plan provides a framework for development over the next 10-15 years and establishes a comprehensive and shared vision for the future. The shared vision that forms the foundation of this plan is based upon the following principles, which if continually invoked will help position Lowell for economic, social, and environmental success:

**Livability**

Lowell will offer a high quality of life for residents of all backgrounds and stages of life by building upon the strength of its neighborhoods as diverse, accessible communities whose established character is celebrated and preserved, and whose lifestyle amenities are well integrated and readily available.

**Housing**

Housing trends in Lowell have tended to mirror those throughout the Commonwealth. While the City saw a significant housing boom in the early 2000s, with an increase in home prices and an influx of new residents, the national foreclosure crisis coupled with high unemployment rates has significantly impacted the housing market in recent years. In spite of these challenges, the City's



Downtown has experienced tremendous growth since 2000 as a result of significant redevelopment efforts, with over 1,500 market rate and 300 subsidized units being added to existing housing stock.

The Master Plan promotes the City to:

“Build and maintain a diversity of housing options throughout the City so as to support economic vitality and meet the evolving needs of residents.”

Facilitate additional market rate housing production within the housing development zone of Downtown Lowell that has been designated under the State’s Housing Development Incentive Program, and explore the establishment of such zones in other parts of the City where this tool can help catalyze the development of quality market-rate housing.

Encourage the development of market rate housing for 55+ aged residents, and strive to locate it in close proximity to health care facilities and other services.

Provide incentives for market rate housing in areas where disproportionate amounts of subsidized housing reinforce concentrations of poverty.

Increase the percentage of multi-family housing available that will encourage families to move to and remain within Lowell, thereby creating a sense of stability.

Explore rezoning of areas around the City’s major institutions to accommodate the evolving needs of those neighborhoods, including providing housing that is appealing to recent graduates, faculty, and others affiliated with these institutions that have a long-term, vested interest in the City.

Support the development of denser, higher residential development with retail uses at street level as a means of concentrating student retail and employment opportunities, and encouraging construction of off-campus housing with sufficient parking, thereby reducing the impact on the neighborhood housing market.

The Master Plan further urges to:

“Increase competitiveness of the local workforce, expand career education and job training to match workforce needs, and provide placement opportunities for the City’s residents, and to encourage recent college graduates to remain in the City by providing this population with a variety of attractive job opportunities, as well as attractive housing options and cultural amenities.”

Thus, it is clear that Lowell must look to market rate housing and although great strides have been made in introducing housing in the Downtown central business area, there is a strong need to assist neighborhood growth and stability with good market rate housing, which in turn will provide better facilities, customers for neighborhood business and support for neighborhood organizations.

### **Place-Making**

Drawing upon its rich and authentic natural, cultural, institutional, and historical resources, Lowell will serve as a local and regional hub for innovation and sustainable economic development with an unmistakable pride of place and a vibrant urban downtown.

### **Longevity**

By proactively preparing for and adapting to social, economic, and environmental trends at the local, regional, and global level, Lowell will maintain an effective and innovative municipal government, foster an engaged community, support a diversified and sustainable economic base, and preserve its environmental assets, striving to put policies in place that will endure beyond any given set of leaders.

### **Responsibility**

Through increased accountability, education, civic engagement, and action Lowell will cultivate a community-wide, shared ethic of sustainability whose implications and merits - for both the present and future - are broadly understood.

The City of Lowell Sustainable Lowell 2025 Plan has established eight (8) goals & Action Areas which have been identified as priorities. They are:

- Sustainable Neighborhoods
- Housing Choice
- Mobility & Access
- Vibrant & Unique Urban Hub
- Healthy & Sustainable Local Economy
- Environmental Resilience
- Effective Operations, Infrastructure, & Technology
- Sustained Public Engagement

### **Connections between Proposed New Use and City of Lowell Sustainable Lowell 2025 Plan**

While examining the purposes and goals of the new Sustainable Lowell 2025 Plan one realizes how important housing is to its residents as it relates to their overall quality of life both of the City and its citizens. The Master Plan (hereinafter referred to as "MP") refers to housing more than 100 times, a term that could well be the most referred to and important aspect of its insight into the vitality of the community and its citizens. At the outset while beginning with an historical overview of the City (p. xviii), the MP states how since the 1970s Lowell has seen a remarkable rebirth and revitalization. It goes on to point out how through the diversification of its local economy, the City's job base has broadened beyond its traditional manufacturing core and the resulting emerging technology, education, healthcare, and creative economy sectors have



contributed to Lowell's recent vibrancy and renewed spirit of innovation.

This is the same period of time that the need for more and better housing has escalated to provide good housing as required to thousands of Lowell's citizens.

In describing the need for "Sustainable Neighborhoods" the MP urges that the City "foster a sense of community cohesion and promote healthy lifestyles by design", and further that "Such neighborhoods will be welcoming and well networked, connecting residents with the natural and built environment, with the City's rich history, with educational and work opportunities, with convenient transportation access and healthy homes, and with other daily amenities, such as recreational opportunities and local food. They will carefully balance the energizing benefits of new investments with the thoughtful preservation of neighborhood character."

While discussing the importance of schools to "Sustainable Neighborhoods" (p. 10), the MP speaks to the importance of supporting redevelopment projects, particularly in cases where planned improvements result in safer, higher-quality, and more energy efficient homes for Lowell residents.

And in fact when speaking to the 10 "Objectives" of the MP to reach the goals of Housing Choices, the following "OBJECTIVES" are outlined:

## **OBJECTIVES**

1. Maintain high-quality, healthy homes throughout the City for rent and purchase.
2. Build and maintain a diversity of housing options throughout the City so as to support economic vitality and meet the evolving needs residents.
3. Encourage responsible home ownership to support neighborhood stability.
4. Maintain an abundance of affordable housing for rent or purchase, and strive to maintain the relative affordability of housing in Lowell compared to other communities in the region.
5. Prioritize sustainable housing development policies and practices.
6. Ensure that adequate infrastructure exists for new residential development.
7. Encourage institutional growth that ensures a high quality of life in Lowell's neighborhoods.
8. Ensure that all residents have a safe and secure place to call home.
9. Ensure that all residents have equal access to fair housing.
10. Balance open space needs with development citywide.

The MP speaks clearly about the need for:

## **Mobility and Access**

## OBJECTIVES

1. Promote bike and pedestrian mobility.
2. Increase use and efficiency of public transportation.
3. Improve access to and support a variety of options for sustainable commuting practices.
4. Support land-use transportation policies that encourage multi-modal mobility.
5. Where practical, improve traffic flow and the capacity of the City's existing streets.
6. Minimize the transportation demand generated by new development and institutional growth.
7. Maximize public safety in all modes of transportation.
8. Ensure efficient freight transportation.
9. Maximize the utility of available parking resources in retail and residential areas.
10. Promote quality urban design in all transportation infrastructure projects.
11. Beautify and enhance gateways and entry points.

The MP makes the importance to Lowellians of a:

## VIBRANT & UNIQUE URBAN HUB

Lowell will serve as a vibrant urban center that leverages its history, creativity, diversity, and physical environment to provide residents, businesses, visitors, shoppers, and potential investors with a unique, high-quality experience. Through this approach of creative place-making, Lowell will continue offering rich social, cultural and entertainment opportunities to existing residents while attracting newcomers to the city whose innovation and entrepreneurship can further strengthen the local economy.

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These objectives further call for Lowell to: 1. Promote Lowell as a welcoming, safe, and attractive urban hub that serves the needs of residents, businesses, visitors, and other stakeholders and to 2. Continue to encourage major regional and national retailers, especially those whose products enjoy exemptions from state sales taxes, to locate within City limits to allow more Lowell residents to make more of their retail purchases in the City, as opposed to surrounding towns and Southern New Hampshire, and to 3. Support and promote a diversity of high-quality shopping and entertainment opportunities, prioritizing locally owned businesses whose profits are more likely to be reinvested within the community and also to 4. Promote and market Lowell as a college town, and invest in the faculty, staff, and student populations as major economic drivers.



The MP further goes on to state that a key objective is for the City to seek to increase its fiscal and operational sustainability by improving the efficiency and effectiveness of municipal services and understands that to achieve this goal, Lowell will prioritize and make adjustments to many of the practices, activities, services facilities etc. and importantly maintain a talented and professional workforce, to recruit and retain the most qualified, committed and healthy workforce possible.

The MP recognizes that successful implementation of any long-range plan requires investment by both public and private entities within a community, including city departments, elected officials, businesses, schools, neighborhood organizations, and many others.

And goes on to say that while the City intends to take the lead in implementing the ambitious vision laid out herein, and facilitate the partnerships necessary to ensure that its goals are achieved, it hopes that the work of building a sustainable future for Lowell will be largely collaborative in nature.

**That is the collaboration the Applicant's plan will do and that is what the Applicant intends to do - given the Special Permit requested here - to allow it to help serve the Community.**

***B. Neighborhood Character:***

*2. How does this project protect and enhance the character of the existing neighborhood? Successful projects should reflect the density, the urban design, the setbacks, height, and landscaping elements of surrounding buildings.*

The proposed Facility will be located within the **HRC** (High Rise Commercial) zoning district, which is the largest such zone of the City HRC zones and borders the Lowell Connector, nearby Highway Route 3 and Interstate 495. The majority of the surrounding buildings on Wellman Street and Lowes Way within this district are High Rise Industrial office and retail in nature and use and there are few residential buildings. These buildings are served by open-air parking lots with diffuse landscaping and grassed areas. The newly constructed market rate housing facility will be constructed on an area currently vacant except for its use as a parking lot and will have within the structure its own separate parking, and the remaining area will be landscaped and grassed and will reflect the character of the abutting neighborhood buildings. Adjacent to the property are companies housed in industrial/manufacturing/sales and related office type structures with wide open spaces and open-air parking lots with diffuse landscaping and grassed areas.

Finally, the proposed facility will introduce into the neighborhood a brand new first class market rate housing facility with a new, vibrant, responsible stakeholder, ensuring the property, which is set back from the rest of the neighborhood and relatively isolated, will not become neglected or crime-ridden.

*3. How does this project provide for social, economic or community needs?*

This project greatly provides for social, economic and community needs by introducing the newest and most up-to-date housing facility with first class amenities, including a swimming pool and garden facilities for use by current potential Lowell residents and available to employees of neighboring businesses who currently live outside the City and who otherwise may not have been able to find suitable housing near their workplace in Lowell. As indicated previously, the Sustainable Lowell 2025 encourages making Lowell a vibrant and unique Urban Hub.

*4. Is the project consistent with the character, materials and scale of buildings in the vicinity?*

Yes. The proposed new facility is completely sympathetic with the types of buildings in the neighborhood and is consistent with the types of buildings which form the majority of the neighboring structures along that section of the Lowell Connector corridor and with other buildings in the vicinity.

*5. Does the project minimize the visual intrusion from visible parking, storage and other outdoor service areas viewed from public ways and abutting residences?*

Yes. The building will have parking totally within the structure and thus will be essentially invisible from the Lowell Connector and Wellman Street and Lowes Way and the existing wooded area remaining on the footprint along the property line of the subject property will remain unaltered, providing a substantial buffer from neighboring properties and the Lowell Connector.

**C. Environmental Issues:**

*6. Does the project have any negative impacts on the natural environment?*

No. The environment will not be adversely affected in any way by its proposed new use.

*7. Does the project minimize the volume of cut and fill and the extent of stormwater flow and soil erosion from the site? Projects must meet the standards of the MA Department of Environmental Protection Stormwater Management Policy Handbook: Volume I & Stormwater Technical Handbook Volume II. SEE RESPONSE BELOW*



8. Does the project minimize the contamination of groundwater? SEE RESPONSE BELOW

9. Does the project provide for stormwater drainage consistent with the local regulations? SEE RESPONSE BELOW

10. Does the project minimize obstruction of scenic views? SEE RESPONSE BELOW

11. Does the project minimize lighting glare on abutting properties? SEE RESPONSE BELOW

The proposed project includes two connected structures that essentially create one building. One structure is a six floor residential apartment building with five floors of wood construction over one concrete “podium” level at grade. The other structure is a six floor precast parking garage located in the middle of the project. Given the existing developments in the area and the location of the site there are not scenic views in this part of the city. The design of the residential building wraps around the parking garage on three of its four sides, screening it from abutters to the West, views from the Lowell Connector to the East and the wetland area to the North. The project has been designed to minimize potential view corridors to the parking garage. The building has been located back from the property lines which allow space for stormwater management measures, and a sustainable landscaped buffer toward abutters. All proposed development is located within the existing “paved” boundaries of the site to prevent disturbance to the surrounding wetlands.

The amenity space for the building will occur at the ground floor and will connect to an internal courtyard, which will include a pool and recreation space. A lobby, the management offices, a package storage, and tenant mailroom will be located at the street level. These spaces will also connect to the courtyard so to provide strong connections between indoor and outdoor spaces.

The stormwater management system for the proposed project includes measures for collecting, controlling, and treating stormwater runoff from the site. The drainage improvements proposed will significantly reduce stormwater runoff peak flow rates and volumes leaving the site, increase groundwater recharge, and significantly improve storm runoff water quality. The proposed measures under the redeveloped conditions represent a substantial improvement over existing stormwater management conditions and fully satisfy the requirements and objectives of the Massachusetts Stormwater Management Policy, its standards and are consistent with the local regulations. In addition, the project significantly decreases impervious coverage on site. Based on this the project will not have any negative impacts on the natural environment.

Due to the significant, existing grade change on the site, the ground floor of the building will be located approximately 11’ to 23’ below the level of Wellman Street. To best serve cars entering the site from Wellman Street and Lowes Way, the parking garage entry “move-in” area, trash pickup area and the leasing center are located on the second level. Grading of the site has been designed to match the existing topography in order to minimize cuts and fills. Where possible, retaining walls to further minimize earthwork. Based on this the project design minimizes the volume of cut and fills and soil erosion from the site. A Stormwater Pollution Prevention Plan (SWPPP) and an



Operation and Maintenance Plan have been prepared and will be implemented to minimize erosion and sediment from the site during and after the construction period, and protects the adjacent resource areas in the long term.

The project design maintains existing down lighting which will continue to minimize glare on abutting properties. The residential building wrapping around the parking garage on three of its four sides will screen lighting from the garage from abutters on the west, the Lowell Connector on the east and the wetland area on the north.

#### ***D. Traffic, Access and Safety:***

*12. How does the project address traffic flow and safety, including parking and loading? Does the project provide adequate parking for visitors? Will the project impact an area with significant on-street parking demand? Will the project require the loss of on-street public parking for driveway curb cuts? SEE RESPONSE BELOW*

*13. Does the project provide adequate access to each structure for fire and service equipment and adequate utilities? SEE RESPONSE BELOW*

*14. Does the project provide adequate and safe pedestrian and vehicle access through and around the project? SEE RESPONSE BELOW*

The proponent's traffic consultant, Ron Muller & Associates has conducted a detailed Traffic Impact and Access Study that evaluated the potential traffic impacts associated with the proposed apartment development. The project site is currently a paved parking area providing 416 spaces and abuts the Lowell Connector to the east with two existing driveways along Wellman Street. As proposed, 240 apartment units will be constructed on the site with a total of 498 parking spaces which provides sufficient parking for the development program and slightly exceeds the parking required by zoning. Site access is proposed via the existing northern driveway and a new driveway to be constructed on Wellman Street opposite Lowes Way. The existing southern driveway will be gated and used for emergency purposes only. The project layout provides a dedicated Fire Department access lane on three side of the building. Please refer to the attached Fire Truck Turning Exhibit for details.

The study provides an estimate of the expected traffic generation of the project, evaluates the safety and capacity impacts of that traffic on the adjacent roadways and nearby intersections, and determines the necessity for improvements to the area roadway system. The study was prepared in conformance with the Massachusetts Environmental Policy Act (MEPA) regulations and Massachusetts Department of Transportation (MassDOT) standards.

The buildings are sited to provide good connections to Wellman Street and the adjacent Office park, and ensure that ample usable open space is provided for the residents. The office park may



share a portion of the proposed parking with the new residential building. The existing surface parking lot on Wellman Street will be reconfigured to allow the project to create a clear four way intersection with Lowes Way extension. New sidewalks, plantings, the existing lighting, and curbing will extend into the site to create a pedestrian network connecting the residential community to the office park and into the public realm.

There are dedicated visitor parking spaces adjacent to the main leasing area, with all other parking in the garage structure. Bicycle parking is located throughout the garage and includes storage hooks with integrated locking features.

Existing and future conditions at study area intersections have been described and analyzed with respect to traffic operations and the project allows for safe and convenient vehicular and pedestrian movements. Please refer to the Traffic Impact and Access Study submitted under separate cover for a more detailed discussion of the transportation issues and proposed mitigation. The conclusions of this Traffic Study are presented below:

- The project proposes 240 apartment units to be developed on the site of an existing paved parking area. Access to and egress from the site will be provided via the two existing driveways on Wellman Street as well as a new driveway to be constructed opposite Lowes Way. Traffic to/from the site will use either Wellman Street to Chelmsford Street or Lowes Way to Industrial Avenue.
- Based on observed speeds, ample sight distances exist at the Wellman Street intersection with Chelmsford Street and at the Lowes Way intersection with Industrial Avenue to allow for safe operation. At the Wellman Street driveways, it is recommended that existing vegetation to the west of the westerly driveway be removed and that any proposed landscaping, signs, or other obstructions along the site frontage be set back sufficiently so as not to impede sight distances for drivers exiting the site. With these recommendations ample sight lines will exist to allow safe operation.
- Accident data for the study area intersections were obtained from MassDOT and the calculated crash rates at all study intersections are lower than both the district-wide and statewide averages.
- The development project is expected to generate 1,580 vehicle trips (total of both entering and existing traffic) on an average weekday of which 121 trips would occur during the weekday AM peak hour and 150 trips would occur during the weekday PM peak hour. No public transportation or walking/bicycling credit was assumed to provide a conservative analysis condition.
- The greatest traffic-volume increases will be on the Industrial Avenue east of Lowes Way with increases expected between 67 and 83 vehicles during the analyzed peak hours.

These increases represent on average, between one and two additional vehicles per minute during the peak hours. Increases on roadways beyond the study area are expected between 6 and 22 peak hour vehicles. These increases represent, on average, one additional vehicle every 2.5 to 10 minutes during the peak hours. Smaller volume increases are expected during all other times of the day.

- Although the site abuts a state highway (Lowell Connector), a Highway Access Permit will not be required from MassDOT as the anticipated traffic generation and the proposed number of new parking spaces will not exceed the thresholds established by MassDOT and the MEPA office.
- Operational deficiencies exist with or without the project at the Chelmsford Street signalized intersections with Plain Street and with Industrial Avenue. The proposed project will not have a significant impact at these locations to significantly exacerbate these deficiencies. It is recommended that the City of Lowell adjust the signal clearance times and add pavement striping at the Chelmsford Street and Plain Street intersection to improve safety at this location. The remaining study area intersections operate with ample capacity under both the future No-Built and Build conditions.
- Recommendations are made in the traffic report regarding traffic control at the proposed site driveways onto Wellman Street. In addition, it is recommended that pavement striping be added to both Industrial Way and to Wellman Street to improve safety and clearly identify the travel paths, particularly along Lowes Way extension. The pavement striping proposed consists of adding yellow centerline striping and solid white edge line striping.

### ***E. Additional Impacts***

#### ***15. Are there any substantial impacts on public services and utilities?***

The project site is serviced by existing public water and sewer. No substantial impacts on public services and utilities are expected.

During the construction of Lowes, improvements were made as part of the Chelmsford Street Sewer Separation Project including construction of a 12-inch sewer line through the north side of the site that connects to the sewer main in Newell Street. The project's proposed 6-inch sewer service will connect to a manhole located on this sewer line.

Discussions with the Lowell Regional Wastewater Utility have indicated that there is sufficient capacity in the existing wastewater system to accommodate the estimated sanitary sewage flow from the proposed residential development.



Water will be supplied to the project via the existing 6-inch line in Wellman Street. Hydrant flow tests will be conducted to determine if there is adequate flow and pressure in the water line to serve the project. The Applicant is working with the Lowell Regional Water Utility and the City's consultant, Woodward and Curran, regarding a possible connection to the existing 16-inch water main along the east side of the property, adjacent to the Lowell Connector.

Public utilities already service the facility and will continue to do so and as necessary steps will be taken to assure the facilities available are sufficient for the proposed use and that no substantial impact on public services and utilities will occur.

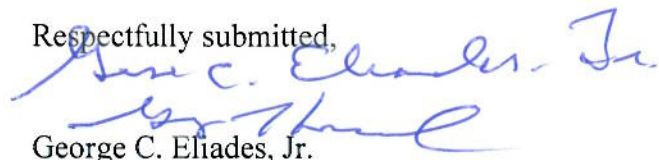
*16. Does the project have any negative fiscal impact on the city, including impact on city services, schools tax base and employment?*

The proposed facility will provide new employment in the City and place empty property fully on the property tax rolls at a substantially high value property, providing significant additional tax income for the City. A majority of the units will be one bedroom and studios, thus should have little impact on the school system. User fees for the City services should provide substantial additional new revenues to the City.

*17. Does the project comply fully with the Zoning Ordinance, including parking, signage, landscaping, open space requirements, curb cut lengths and driveway widths?*

The proposed project consists of the construction of six-story residential building with approximately 240 residential units and a six level parking structure with approximately 452 parking spaces. The existing 65 space parking field along Wellman Street extension will be modified to provide 46 spaces at grade which provides a total of 498 spaces. The parcel is located in the High Rise Commercial (HRC) zoning district and Site Plan Review is required from the Planning Board pursuant to 11.4 of the Zoning Ordinance. Otherwise, the proposed project meets all the parking, open space/landscape, height, FAR, setbacks and dimensional requirements of the Ordinance.

Respectfully submitted,



George C. Eliades, Jr.  
and  
George Theodorou